

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Erick Medina,

Petitioner

v.

Terry Royal,

Respondent

Case No. 2:24-cv-02413-JAD-DJA

**Order Instructing Petitioner to File
In Forma Pauperis Application or
Pay Filing Fee by March 3, 2025**

[ECF No. 1]

Pro se Petitioner Erick Medina has filed a Petition for Writ of Habeas Corpus and a Motion for Appointment of Counsel.¹ But Medina has not properly commenced this federal habeas action because he failed to pay the filing fee or apply to proceed *in forma pauperis*.

Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The district court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he submits an *in forma pauperis* (IFP) application on the approved form and includes three specific documents: (a) the inmate's financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the inmate and an authorized prison official, and (c) a copy of the inmate's account statement for the six-month period prior to filing.² Medina's failure to pay the fee or submit an IFP application leaves this case improperly commenced. So I give Medina until March 3, 2025, to pay the \$5 filing fee, submit a complete IFP application, or request an extension of time to do so.


¹ ECF Nos. 1-1, 1-2.

² 28 U.S.C. § 1915(a); LSR 1-1, 1-2.

1 IT IS THEREFORE ORDERED that **Petitioner Erick Medina** has until **March 3,**
2 **2025, to either pay the \$5 filing fee or file a complete IFP application. If he fails to do so,**
3 **this case will be dismissed without prejudice and without further advance notice.**

4 The Clerk of the Court is instructed to **SEND** Petitioner a blank copy of the IFP
5 application form for inmates along with instructions.

6 Dated: January 2, 2025

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8 U.S. District Judge Jennifer A. Dorsey
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